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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 15-CR-00226-BLF
)	
Plaintiff,)	JOINT STIPULATION FOR EXCLUSION OF
)	TIME FROM JULY 21, 2015, TO JULY 30, 2015,
v.)	[PROPOSED] ORDER TO EXCLUDE TIME FROM
)	JULY 21, 2015, TO JULY 30, 2015
DOUGLAS STORMS YORK,)	
)	
Defendant.)	
)	

JOINT STIPULATION

On July 21, 2015, the parties appeared before the Honorable Beth L. Freeman for a status conference on the superseding indictment in this matter. At the hearing, defense counsel, Graham Archer was unavailable, and Varell Fuller requested a continuance of the matter until July 30, 2015 at 8:30 a.m. for further trial setting.

The parties hereby stipulate that the time between July 21, 2015, and July 30, 2015, at 8:30 a.m., should be excluded from the calculation of time within which the trial in this case must commence pursuant to the Speedy Trial Act, in order to allow each counsel sufficient time to effectively prepare, taking into account the exercise of due diligence. The parties stipulate that the ends of justice served by

JOINT STIPULATION FOR EXCLUSION OF TIME AND [PROPOSED] ORDER TO EXCLUDE TIME
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1 granting the request outweigh the best interest of the public and the defendant in a speedy trial. Further,
2 time should be excluded for continuity of counsel in this matter.

3
4 DATED: July 27, 2015

Respectfully submitted,

5 MELINDA HAAG
6 United States Attorney

7 /s/_____
8 BRIANNA L. PENNA
9 Special Assistant United States Attorney

10 DATED: July 27, 2015

11 /s/_____
12 GRAHAM ARCHER
13 Attorney for the Defendant

14 **[PROPOSED] ORDER**

15 Pursuant to the parties' motion, the Court HEREBY ORDERS that the time between July 21,
16 2015, and July 30, 2015 be excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds,
17 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), that the failure to grant the requested continuance
18 would deny counsel the reasonable time necessary for effective preparation, taking into account the
19 exercise of due diligence.

20 Furthermore, the Court finds that the ends of justice served by granting the requested
21 continuance outweigh the best interest of the public and the defendant in a speedy trial. The Court
22 therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A) and
23 (B)(iv).

24 IT IS SO ORDERED.

25
26 DATED:_____

27 _____
28 HON. BETH L. FREEMAN
United States District Judge